

# Notice of Allowability

Application No.

09/464,063

Examiner

CongVan Tran

Applicant(s)

WOODMANSEE ET AL.

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/02/04.
2. ☒ The allowed claim(s) is/are 37-44 have been renumbered to 1-8 respectively.
3. ☒ The drawings filed on 10/187/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

CongVan Tran  
Examiner  
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**DETAILED ACTION**

Check PT 6621811

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 37-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Lundh (6,690,936).

Regarding claims 37-40, 42, and 44, Lundh discloses an air interface efficiency in wireless communication systems comprising the steps of the mobile unit initializing on a first carrier frequency of a plurality of carrier frequencies for at least the purpose of traffic management for multi carrier networks, wherein the mobile unit is at least configured to operate on one frequency of a plurality of frequencies at any given time, and wherein the mobile unit is configured to be able to operate on a plurality of frequencies (see fig.6, and its description); and the mobile unit tuning to a paging channel of a second carrier frequency of the plurality of carrier frequencies in response to a message received on a sync channel of the first carrier frequency for at least the purpose of traffic management for multi-carrier networks (see fig.6, col.7-8 and its description).

Regarding claims 41, 43, Lundh further discloses mobile unit is configured to utilize one or more CDMA radio frequency links with the wireless communication system (see col.5, 6-22).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CongVan Tran  
Examiner  
Art Unit 2683

CT  
April 27, 2004.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 37, although, the prior arts disclose a method of operation of a mobile unit in a wireless communications system. However, none of them teach wherein the mobile unit is at least configured to operate on one frequency of a plurality of frequencies at any given time, and wherein the mobile unit is configured to be able to operate on a plurality of frequencies (see fig.6, and its description); and the mobile unit tuning to a paging channel of a second carrier frequency of the plurality of carrier frequencies in response to a message received on a sync channel of the first carrier frequency for at least the purpose of traffic management for multi-carrier networks as specific detail and in combination as is claimed 37.

Claims 38-44 are allowed as being dependent on independent claim 37.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

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CONGVAN TRAN  
PRIMARY EXAMINER

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Art Unit 2683

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Sept. 15, 2004